

**City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
September 5, 2001**

Mayor Neisen O. Kasdin
Vice-Mayor Matti Herrera Bower
Commissioner Simon Cruz
Commissioner David Dermer
Commissioner Luis R. Garcia Jr.
Commissioner Nancy Liebman
Commissioner Jose Smith

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

PA1	Check Presented by Sen. Silver & Rep. Gelber, Flamingo Tennis Center Renovation Project.	1
PA2	Proclamation/"Prostate Cancer Awareness Month". (Kasdin)	
PA3	Proclamation/Those Participating in Making Miami Beach a "Heart Safe Community". (Garcia)	
PA4	Certs. of Apprec./Heart Safe Community Task Force, Establishing a "Heart Safe Comm." (Garcia)	
PA5	Proclamation/"National Alcohol & Drug Addiction Recovery Month". (Kasdin)	
PA6	Cert. of Apprec./Maria Cruz, 30 Years of Dedication to MB Sr. High School/Community. (Garcia)	
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REGULAR AGENDA

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REDEVELOPMENT AGENCY ITEMS - 10:00 A.M.

2A	Report of Itemized Revenues/Expenditures of RDA for June & July, 2001.	1
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<u>Afteraction</u>	<u>September 5, 2001</u>	<u>City of Miami Beach</u>
2B	Monthly Report on Parking Operations, Anchor Shops & Parking for June, 2001.	3
2C	Monthly Report on Parking Operations, Anchor Shops & Parking for July, 2001.	19
2D	Status Report on S. Pointe Streetscape.	33
3A	Joint , Issue RFQ, Urban Design, A/E Services for Ph. II Streetscape Improvement Project.	41
3B	Approp. Tax Increment Rev. Bonds, Reimburse RDP Royal Palm Limited Partnership.	51

Call to Order – 9:39 a. m.

Inspirational Message given by Dr. Annette Jones, St. John's United Methodist Church.

Pledge of Allegiance led by Chief Barreto.

Requests for Additions, Withdrawals, and Deferrals

PA - Presentations and Awards

- PA1 A Ceremonial Check For \$100,000 To Be Presented By Senator Ron Silver And Representative Dan Gelber To The City Of Miami Beach, From The Florida Department Of Environmental Protection, For The Flamingo Tennis Center Renovation Project.
(Parks And Recreation)

ACTION: Ceremonial Check presented by Senator Silver and Representative Gelber.

- PA2 Proclamation Declaring September As "Prostate Cancer Awareness Month," Encouraging All Men To Test For Prostate Cancer.
(Requested By Mayor Neisen Kasdin)

ACTION: A Representative was unable to attend the meeting however, Mayor Kasdin declared September as "Prostate Cancer Awareness Month" in Miami Beach.

- PA3 Proclamation To Be Presented To Dr. Joseph Zebede, Dr. Tod Florin, Bruce Perry, Debbi Stanfield And Mount Sinai-Miami Heart Medical Center, For Their Dedication And Effort Towards Making Miami Beach A "Heart Safe Community".
(Requested By Commissioner Luis R. Garcia, Jr.)

ACTION: Proclamation presented.

Handout:

1. Booklet "Rhythms of the Heart". The Miami Beach Heart Safe Community Project. It contains information about Mount Sinai Medical Center & Miami Heart Institute. Also includes information from the American Heart Association and defibrillators, etc.

- PA4 Certificates Of Appreciation To Be Presented To The Heart Safe Community Task Force, Who Has Been Working Toward Establishing Miami Beach As A "Heart Safe Community".
(Requested By Commissioner Luis R. Garcia, Jr.)

ACTION: Certificates of Appreciation presented.

Demonstration give by the Miami Beach Fire Department on the use of the defibrillator equipment donated by Mount Sinai-Miami Heart Medical Center.

- PA5 Proclamation Declaring September As "National Alcohol And Drug Addiction Recovery Month".
(Requested By Mayor Neisen Kasdin)

ACTION: Proclamation presented.

- PA6 Certificate Of Appreciation To Be Presented To Maria Cruz, For 30 Years Of Dedication To The Students Of Miami Beach Senior High School And The Community.
(Requested By Commissioner Luis R. Garcia, Jr.)

ACTION: Deferred. Lilia Cardillo to place on agenda.

CONSENT AGENDA

ACTION: Motion made by Vice-Mayor Bower to approve the Consent Agenda; seconded by Commissioner Liebman; Voice vote: 6-0; Absent: Commissioner Cruz.

C2 - Competitive Bid Reports

- C2A Request For Approval To Award A Contract To USA Steel Fence Company, In The Amount Of \$71,777, Pursuant To Bid No. 47-00/01, For The Replacement Of The Rope & Bollard And Sand Fencing Along The Dune In The South Beach Area.
(Public Works)

ACTION: Contract awarded. Fred Beckmann to handle.

C4 - Commission Committee Assignments

- C4A Referral To A Joint Meeting Of The Neighborhoods And Community Affairs Committee - Renaming 44th Street And Adjoining Roadway, "Morris Lapidus Boulevard."
(Requested By Commissioner Luis R. Garcia, Jr. & Vice-Mayor Matti Herrera Bower)

ACTION: Referred. Vivian Guzman and Judy Hoanshelt to place on agenda.

- C4B Referral To The Land Use & Development Committee Meeting Regarding DERM - Monument Island.
(Requested By Commissioner Nancy Liebman)

ACTION: Referred. Jorge Gomez to place on the agenda.

4:41:57 p.m.

C4C Referral To The Historic Preservation Board - Preservation and Protection Of Historic Single Family Homes.

(Requested By Mayor Neisen Kasdin)

ACTION: Separated for discussion by Mayor Kasdin. Referred. Motion made by Vice-Mayor-Bower to refer to the Planning Board and the Historic Preservation Board the question of establishing a moratorium and guidelines for the remodeling and demolition of historic single family homes in Miami Beach; seconded by Commissioner Liebman; Voice vote: 6-0; Absent: Commissioner Cruz. Jorge Gomez to place on the agendas.

Mayor Kasdin wants to preserve the City's historic homes by establishing a moratorium on demolition of homes built before 1950 until guidelines are established for remodeling and demolition of these homes. He stated that the things that specifically need to be looked at are setbacks, both side yard and front yard.

Jorge Gomez stated that only demolitions will be stopped at this time. Remodeling and alterations will continue.

Mayor Kasdin requested the Administration to work on expedited procedure to review requests for demolition or alterations of historic homes.

Commissioner Smith stated that he hopes this does not delay or frustrate the efforts being made in some areas in North Beach. Let the homeowners association know.

2:37:50 p.m.

C4D Referral To The Land Use And Development Committee - Street Performers And Art Vendors Ordinance. (City Manager's Office)

ACTION: Heard in conjunction with R9F. Discussion held. Item Referred. Motion made by Vice-Mayor Bower to refer to The Land Use and Development Committee; seconded by Commissioner Liebman; Voice Vote: 6-0; Absent: Commissioner Cruz. Jorge Gomez to place on the agenda.

Vice-Mayor Bower stated that she is concerned that in order to participate in the lottery the street performers or art vendors need to pay for the permit first. She stated that this is unfair.

Jorge Gonzalez, City Manager, explained that the fee to participate in the lottery is \$15 for street performers and \$50 for art vendors. The lottery is the mechanism used to choose who will have the opportunity to occupy the previously approved locations.

Commissioner Liebman stated that she agrees with Vice-Mayor Bower that it is an excessive fee to have to pay for a permit to participate in the lottery. She also stated that when the ordinance was approved, the Administration was directed to come back with suggestions as to how to set up a vendor market. Pennsylvania Avenue, between the parking garage and the parking lot was specifically mentioned. She also stated that she would like to see more performers and that vendors should be in a collective space. **James Quinlan to handle.**

The Mayor requested the Administration to prepare a report on how many performers and vendors paid to be in the lottery. **Patricia Walker to handle.**

Commissioner Liebman requested a report showing which performers/vendors were selected and their locations. In addition she requested that the vendors be checked to verify they are selling their

own arts and crafts. **Patricia Walker and Al Childress to handle.**

Commissioner Smith encourages the performers to look in the North Beach area for spots to perform.

C7 - Resolutions

- C7A A Resolution Awarding A Contract To Trintec Construction, Inc., Pursuant To Invitation To Bid No. 40-00/01, For The Construction Of The Group "A" And "B" Park Projects Comprised Of: Stillwater, Crespi, La Gorce, Tatum, Fisher, And Island View Parks, In The Amount Of \$468,357; And Further Appropriating Funds In The Total Amount Of \$557,460, From The 1999 General Obligation Bond Fund 374, Comprised Of: \$468,357, For The Cost Of Construction; \$33,018, For The Construction Contingency; And \$56,085 For The Capital Improvement Office Project Management Fee.
(Capital Improvement Projects)

ACTION: Resolution No. 2001-24549 adopted. Tim Hemstreet to handle. Patricia Walker to appropriate the funds.

10:11:41a.m.

- C7B A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Professional Services Agreement, In The Amount Of \$185,291, Between The City Of Miami Beach And The Firm Of Reynolds, Smith And Hills, Inc., Pursuant To Request For Qualifications (RFQ) No. 10-00/01, To Provide Planning Services, In The Amount Of \$113,987, Survey Services, In The Amount Of \$56,300, And Reimbursables, In The Amount Of \$15,004, For The La Gorce Neighborhood Streetscape Project; And Appropriating Funds, In The Amount Of \$61,702, From The Series 2000 General Obligation Bond Fund, And \$123,589 From The Series 2000 Stormwater Revenue Bond Fund, For A Total Appropriation Of \$185,291.
(Capital Improvement Projects)

ACTION: Resolution No. 2001-24551 adopted. Tim Hemstreet to handle. Patricia Walker to appropriate the funds.

Commissioner Liebman stated that a correction to the language of the contract needs to be made on page 48 of the Agenda (Task 2.5 – Biscayne Pointe should not be included.) Tim Hemstreet to review.

- C7C A Resolution Appropriating An Additional \$175,000 For Contingency Items For The Collins Avenue Water Main Repair Project From Water And Sewer Revenue Bond Fund 424; Further, Ratifying Change Order No. 1 With Miller Pipeline Corporation, In The Amount Of \$75,000, And Change Order No. 1 With Central Florida Equipment Rental Inc., In The Amount Of \$27,083.33 To Be Paid For From Project Contingency.
(Capital Improvement Projects)

ACTION: Resolution No. 2001-24552 adopted. Tim Hemstreet to handle. Patricia Walker to appropriate the funds.

- C7D A Resolution Calling For A Special Election To Be Held On Tuesday, November 6th, 2001, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Concerning Whether The Flamingo Park Baseball Stadium (Located Generally At 1435 Michigan Avenue, Miami Beach, Florida) Shall Be Renamed "Skip Bertman Stadium"?
(City Attorney's Office)

ACTION: Deferred. Lilia Cardillo to place on the September 20 agenda.

- C7E A Resolution Setting A Public Hearing For September 20, 2001, To Consider A Waiver Of Development Regulations Pursuant To Section 142-425(d) Of The Land Development Regulations For The Proposed Regional Library Facility, Located In The Collins Park Cultural Campus Area, Said Waiver Regarding The Library Facility's Required Parking Under Chapter 130 Of The Land Development Regulations.
(City Manager's Office)

ACTION: Resolution No. 2001-24553 adopted. R. Parcher to notice. Lilia Cardillo to place on the agenda. Christina Cuervo and Jorge Gomez to handle.

- C7F A Resolution Setting A Public Hearing For September 20, 2001, To Consider A Waiver Of Development Regulations Pursuant To Section 142-425(d) Of The Land Development Regulations For The Miami Beach Chamber Of Commerce Facility Located At 1920 Meridian Avenue; Said Waiver Regarding The Miami Beach Chamber's Required Parking For The Area Leased To State Representative Dan Gelber Pursuant To Chapter 130 Of The Land Use Development Regulations.
(City Manager's Office)

ACTION: Resolution No. 2001-24554 adopted. R. Parcher to notice. Lilia Cardillo to place on agenda. Christina Cuervo and Jorge Gomez to handle.

- C7G A Resolution Approving And Appropriating An Expenditure Of Up To \$50,000 To Inform And Educate The Voters Of The City Of Miami Beach Of The Ballot Questions On The November 6, 2001 Referendum In Order To Achieve A More Informed Electorate Vote.
(City Manager's Office)

ACTION: Resolution No. 2001-24555 adopted. Mayra Diaz Buttacavoli to handle. Patricia Walker to appropriate the funds.

- C7H A Resolution Accepting A Donation Of Exercise Equipment From Dacra Development Corporation On Behalf Of The Fire Department.
(Fire Department)

ACTION: Resolution No. 2001-24556 adopted. Chief Jordan to handle.

10:14:54 a.m.

- C7I A Resolution Extending The Deadline For Compliance With Ordinance No. 96-3045, Regarding Retrofitting Of Existing High Rise Buildings With Sprinklers Or Engineered Life Safety Systems (As Outlined In Resolution No. 96-22048), From September 30, 2001, To January 1, 2002, To Coincide With New State Standards.

(Fire Department)

ACTION: Resolution No. 2001-24577 adopted (via Consent Agenda vote.) Chief Jordan to handle.

Jorge Gonzalez, City Manager, briefed the Commission on the of the fire sprinkler issue.

Joe Fontana, representing the Homeowners and Condominium Alliance of Miami Beach, spoke.

Mayor Kasdin requested a report on the status of compliance to-date. **Chief Jordan to prepare an LTC.**

- C7J A Resolution Retroactively Consenting To The Appointment Of Saul Frances As Parking Director, Fred Beckmann As Public Works Director And Vivian Guzman As Neighborhood Services Director For The City Of Miami Beach.

(Human Resources)

ACTION: Resolution No. 2001-24557 adopted. T. C. Adderly to handle.

- C7K A Resolution Approving An Amendment To The City's One-Year Action Plan For Federal Funds For Fiscal Year 2000/2001 To Reallocate HOME Program Income In The Amount Of \$51,638 From Fiscal Years 1997/1998, 1999/2000, And 2000/2001, And HOME Program Funds In The Amount Of \$1,000 From Fiscal Year 1998/1999, To Be Utilized For Rehabilitation Initiatives In Accordance With The HOME Program Regulations.

(Neighborhood Services)

ACTION: Resolution No. 2001-24558 adopted. Vivian Guzman to handle.

10:21:04 a.m.

C7L A Resolution Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Herein Approving And Authorizing The Mayor And City Clerk To Execute An Interim Management Agreement With Professional Course Management II, LTD., Substantially In The Form Attached, To Provide Professional Services For The Management Of The City's Normandy Shores And Par 3 Golf Courses; Said Agreement To Commence On October 1, 2001, And Conclude On September 30, 2003, Or Immediately Upon The Closure Of The Normandy Shores Golf Course For Planned Construction/Renovations, Which Ever Occurs First; Said Agreement To Include A 60-Day Cancellation Clause.

(Parks & Recreation)

ACTION: Resolution No. 2001-24559 adopted. Motion made by Commissioner Liebman; seconded by Commissioner Dermer; Voice vote: 5-0; Absent: Commissioners Cruz and Garcia. Kevin Smith to handle.

Commissioner Liebman requested the Administration to look into doing some maintenance to the Normandy Shores clubhouse. Jorge Gonzalez, City Manager, stated that the Administration will look into providing some maintenance to the facility. **Kevin Smith and Brad Judd to handle.**

New item:

Jorge Gonzalez, City Manager, introduced Ms. Vivian Guzman, the recently appointed Director of the Neighborhood Services Department.

C7M Revisions To The Sign Regulations

A Resolution Setting Public Hearings To Consider Proposed Amendments To The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, Amending Chapter 138, "Signs" Of The Code Of The City Of Miami Beach, Florida, By Amending Section 138-6, "Signs Located On The Underside Of Awnings Or Canopies;" To Clarify The Requirements For Awning Signs; Amending Sec. 138-10, "Signs For Legal Nonconforming Uses And Legal Nonconforming Signs" To Include Provisions For Restoration And Replacement Of Historic Signs; Amending Sec. 138-72, "Pennants, Banners, Streamers, Flags And Flagpoles," To Include Provisions To Allow Replacement Of Historic Flags; Amending Sec. 138-139, "Major Cultural Institutions Temporary Banner" To Include Provisions For All Cultural Institutions; Providing For Inclusion In The Code Of The City Of Miami Beach, Florida; Repealer; Severability; And An Effective Date.

(Planning Department)

ACTION: Resolution No. 2001-24560 adopted. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

City Clerk's Note: Second Public Hearing on September 20, 2001 at 2:00 P.M.

C7N Revisions To The Industrial District And CD-2 Commercial District Permitted Uses
A Resolution Setting Public Hearings To Consider Proposed Amendments To The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, Amending Chapter 142, "Zoning Districts And Regulations," By Amending Division 11 "I-1 Light Industrial District," By Amending Section 142-481 "Purpose," By Including Offices; Section 142-482, By Amending Section 142-484(2), "Accessory Uses," By Eliminating Accessory Outdoor Bar Counters As An Accessory Use In The I-1 District; By Amending "Section 142-485 "Prohibited Uses," To Include Bars, Dance Halls Or Entertainment Establishments Not Also Operating As Restaurants As Prohibited Uses In The I-1 District; By Amending Division 5. "Cd-2 Commercial, Medium Intensity District," Section 142-302 "Main Permitted Uses" By Creating An Overlay District In The Purdy Avenue/Dade Boulevard Area Prohibiting Bars, Dance Halls Or Entertainment Establishments Not Also Operating As Restaurants; Providing For Inclusion In The Code Of The City Of Miami Beach, Florida; Repealer; Severability; And An Effective Date.

(Planning Department)

ACTION: Resolution No. 2001-24561 adopted. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

City Clerk's Note: Second Public Hearing on September 20, 2001 at 11:00 A.M. Michael Larkin requested a time-certain in the a.m.

C7O Revision To The Division Of Land/Lot Split Review Procedures
A Resolution Setting Public Hearings To Consider Proposed Amendments To The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, Amending Chapter 118, "Administrative And Review Procedures," Article VII, "Division Of Land/Lot Split," By Amending Section 118-321 "Procedure," By Eliminating The Review By The Planning Director And Requiring All Request For Division Of Land To Be Reviewed By The Planning Board; By Amending Section 118-323 "Appeal Procedures," By Eliminating The Appeal Of The Decision Of The Planning Director To The Planning Board, And By Creating A New Section 118-323 Establishing Revocation Procedures; By Amending "Appendix A, Fee Schedule - Article VII, Division Of Land/Lot Split" By Adjusting The Fees Pertinent To These Procedures; Providing For Inclusion In The Code Of The City Of Miami Beach, Florida; Repealer; Severability; And An Effective Date.

(Planning Department)

ACTION: Resolution No. 2001- 24562 adopted. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

City Clerk's Note: Second Public Hearing on September 20, 2001 at 3:00 P.M.

C7P A Resolution Authorizing, Retroactively, The Filing Of A Grant, In The Amount Of \$296,965 And, If Funded, Authorizing The Budgeting And Expenditure Of Grant Funds, By The Miami Beach Police Department From The National Highway Traffic Safety Administration (NHTSA) For A Driving Under The Influence (DUI) Grant Project.

(Police Department)

ACTION: Resolution No. 2001-24563 adopted. Chief Barreto to handle.

C7Q A Resolution Adopting The Fifth Amendment To The Police Confiscation Trust Fund For Fiscal Year 2000/01, In The Amount Of \$55,000, To Be Funded From The Proceeds Of State Confiscated Funds. (Police Department)

ACTION: Resolution No. 2001-24564 adopted. Chief Barreto to handle.

C7R A Resolution Supporting The American Le Mans Series Scheduled To Take Place In The City Of Miami On April 5 - 7, 2002.

(Requested By Mayor Neisen Kasdin)
(Deferred From July 18, 2001)

ACTION: Withdrawn.

End of Consent Agenda

REGULAR AGENDA

R5 - Ordinances

10:37:14 a.m.

R5A An Ordinance Amending Chapter 82 Of The Miami Beach City Code Entitled "Public Property" By Amending Division 3 Thereof Entitled "Newsracks" By Amending Sections 82-176 Through 82-257 To Provide That Enforcement Of The Regulations In Division 3 Shall Be The Responsibility Of The City Manager Or The City Manager's Designee And Deleting All References To The Public Works Department Of The City Of Miami Beach; Providing For Codification, Repealer, Severability And An Effective Date. **10:15 A.M. Second Reading, Public Hearing**

(Requested By Commissioner Nancy Liebman)
(First Reading On July 18, 2001)

ACTION: Public Hearing held. Ordinance Number 2001-3317 adopted. Motion made by Vice-Mayor-Bower; seconded by Commissioner Liebman; Ballot vote: 6-0; Absent: Commissioner Cruz. R. Parcher to transmit to Municipal Code Corporation. Fred Berkman to handle.

Handouts:

1. Notice of Ad in Miami Herald

10:38:25 a.m.

R5B An Ordinance Amending The Code Of The City Of Miami Beach, Florida, Chapter 82, "Public Property," Article IV, "Uses In Public Rights-Of-Way," Division 6, "Prohibited Signs Over Public Property," To Adopt A New Section 82-414, Entitled "Permitted Signs, Shelters And Advertising In Public Rights-Of-Way," To Clarify The City's Authority To Place Signs In The Public Right-Of-Way, Including Directory Signs, And Signs Associated With Bus Shelters, Which May Include Advertising, Providing For Codification; Repealer; Severability; And An Effective Date. **10:20 A.M. Second Reading, Public Hearing**

(City Manager's Office)
(First Reading On July 18, 2001)

ACTION: Public Hearing held. Ordinance Number 2001-3318 adopted as amended. Motion made by Commissioner Liebman; seconded by Commissioner Smith; Ballot vote: 6-0; Absent: Commissioner Cruz. R. Parcher to transmit to Municipal Code Corporation. Bob Middaugh to handle.

Gary Held, Assistant City Attorney, stated that the word "applicable" be inserted in Section 82-414: ".....Such signs and shelters shall be subject to all applicable permitting requirements....."

Handout:

1. Notice of Ad in Miami Herald

4:39:18 p.m.

R5C An Ordinance Amending Chapter 2 Entitled "Administration"; By Amending Article III Entitled "Agencies, Boards And Committees"; By Creating Division 31 Entitled "Nightlife Advisory Council" And Providing For The Purpose, Powers And Duties, And Composition Of The Council; Providing For Repealer; Providing For Severability; Providing For Codification; And Providing For An Effective Date. **First Reading.**

(City Manager's Office)
(Deferred From July 18, 2001)

ACTION: Withdrawn by the City Commission. See action below.

Jorge Gonzalez, City Manager, stated that because the Administration has demonstrated its ability to communicate with the hotel and entertainment industry, with two (2) successful weekend events, Source Awards and Labor Day weekend, it is recommended that a task force be established instead of the Advisory Board. **Christina Cuervo to handle.**

10:44:01 a.m.

R5D An Ordinance Amending Chapter 82, Article VI Of The Miami Beach City Code Entitled "Naming Of Public Facilities And Establishment Of Monuments And Memorials"; Specifically Amending Section 82-503(a)(4) Therein To Provide That Public Facilities Shall Not Be Named Or Renamed For Living Persons Unless The Naming Or Renaming Is Submitted To The Electorate Of The City By Referendum At The Next Regularly Scheduled Election And So Approved By A Majority Of The Electorate Voting In Such Referendum; Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading**

(City Manager's Office)

ACTION: Discussion held. **Ordinance approved on first reading.** Motion made by Vice-Mayor Bower; seconded by Commissioner Smith; Ballot vote: 6-0; Absent: Commissioner Cruz. Second Reading and Public Hearing scheduled for September 20, 2001. R. Parcher to notice. Lilia Cardillo to place on the agenda. Judy Hoanshelt to handle.

10:49:01 a.m.

R5E An Ordinance Amending Ordinance No.789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, Providing For Those Classifications Represented By The International Association Of Firefighters (IAFF) In Accordance With The Negotiated Agreement A 4% Increase The First Full Payroll Period That Begins On Or After September 25, 2000, And A 4% Increase Effective With The First Full Payroll Period That Begins On Or After September 24, 2001, And A 4% Increase Effective With The First Full Payroll Period That Begins On Or Before September 30, 2002; Repealing All Ordinances In Conflict; Providing For Severability And Providing For An Effective Date. **First Reading**

(Human Resources)

ACTION: Discussion held. **Ordinance approved on first reading.** Motion made by Vice-Mayor Bower; seconded by Commissioner Garcia; Ballot vote: 6-0; Absent: Commissioner Cruz. Second Reading and Public Hearing scheduled for September 20, 2001. R. Parcher to notice. Lilia Cardillo to place on the agenda. Mary Greenwood to handle.

10:50:53 a.m.

R5F An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance, By Abolishing The Classification Of Housing, Community And Economic Development Division Director; Establishing The Classifications Of Capital Improvement Program Director, Community Information Manager, Senior Capital Projects Coordinator, Capital Projects Administrator, Senior Project Planner, Chief Engineering Inspector, Chief Accessibility Inspector, Inspection Services Coordinator, Departmental ADA Coordinator, Records Manager, Neighborhood Services Director, Assistant To The Neighborhood Services Director, Homeless Program Coordinator, Chief Of Staff, Cultural Affairs & Tourism Development Director, Economic Development Division Director, Housing Development Division Director, Community Development Division Director, Case Worker, Finance Manager, Assistant Internal Auditor, Grants Manager; Transferring The Titles Of The Classifications Of Civil Engineer I, Civil Engineer II, Planner, Administrative Aide II/Risk Management, Clerk Typist/Risk Management; Amending The Titles Of The Classifications Of Finance Director To Chief Financial Officer, District Project Manager To Community Resources Coordinator; And Recreating The Classification Of Security Specialist; Providing For A Repealer, Severability, Effective Date And Codification. **First Reading.**

(Human Resources)

ACTION: Discussion held. **Ordinance approved on first reading.** Motion made by Vice-Mayor Bower; seconded by Commissioner Liebman; Ballot vote: 6-0; Absent: Commissioner Cruz. Second Reading and Public Hearing scheduled for September 20, 2001. R. Parcher to notice. Lilia Cardillo to place on agenda. T. C. Adderly to handle.

10:52:28 a.m.

R5G An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance, For Classifications In Group VI, Being Other Classifications In The Classified Service Not Covered By A Bargaining Unit, By Creating The Classifications Of Backflow Coordinator And Senior Elevator Inspector; Transferring The Titles Of The Classifications Of Crime Scene Technician I, Crime Scene Technician II, Police Fleet Specialist, Property Evidence Technician I, Property Evidence Technician II, Public Safety Specialist And Police Records Technician From The Group VI, Being Others, To The Communication Workers Of America Bargaining Unit; Providing For A Repealer, Severability, Effective Date And Codification. **First Reading.**

(Human Resources)

ACTION: Discussion held. **Ordinance approved on first reading.** Motion made by Vice-Mayor Bower; seconded by Commissioner Liebman; Ballot vote: 6-0; Absent: Commissioner Cruz. Second Reading and Public Hearing scheduled for September 20, 2001. R. Parcher to notice. Lilia Cardillo to place on agenda. T. C. Adderly to handle.

R6 - Commission Committee Reports

11:14:22 a.m.

R6A Report Of The General Obligation Oversight Committee Meeting Of August 6, 2001: **1)** Project Status Report; **2)** Hazen and Sawyer Update; and **3)** Informational Items.

ACTION: Written report in agenda. Motion made by Vice-Mayor Bower to accept the report; seconded by Commissioner Liebman; Voice vote: 6-0; Absent: Commissioner Cruz.

R6B Verbal Report Of The Finance And Citywide Projects Committee Meeting Of August 30, 2001: **1)** Referral Of Proposed Incentives For The Production Industry; **2)** Cost Savings Initiative Relative To The Evaluation And Consideration Of A City Procurement Card Program; And **3)** Cost Savings Initiative Relative To New Digital Copier Contract.

ACTION: Deferred. Lilia Cardillo to place on Consent agenda.

Handout:

Commission Memorandum subject: Report of the Finance & Citywide Projects Committee meeting held on August 30, 2001.

R7 – Resolutions

5:47:58 p.m.

R7A1 A Resolution Adopting: 1) The Tentative Ad Valorem Millage Of 7.299 Mills For General Operating Purposes Which Is Nine Percent (9.0%) Greater Than The "Rolled-Back" Rate Of 6.695 Mills; 2) The Debt Service Millage Rate Of 1.077 Mills; And 3) Setting 5:01 P.M., Friday, September 21, 2001, For The Second Public Hearing To Consider The Millage Rate For Fiscal Year 2001/02. **5:01 P.M. First Reading, Public Hearing.**

(Finance Department)

ACTION: Heard in conjunction with R7A2. **Title of the Resolution read into the record. Public Hearing Held. Resolution No. 2001-24565 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Smith; Voice Vote: 6-0; Absent: Commissioner Cruz. Second Reading and Public Hearing scheduled for Friday, September 21, 2001, at 5:01 P.M. Jose Cruz to notice. R. Parcher to notice Special Commission Meeting. Lilia Cardillo to place on the agenda. Patricia Walker to handle.

The City Commission expressed their intent that if funds are available in the future, the Administration will add a Code Enforcement Officer and the Media Specialist positions. **Patricia Walker to handle.**

Jorge Gonzalez, City Manager, made a verbal presentation.

Patricia Walker, Chief Financial Officer, made a verbal presentation.

Commissioner Liebman expressed her concern with not funding: 1) two (2) new code compliance officers. These officers were to be assigned to the beach area. She stated that the new fee was to cover the cost of these positions and 2) the Media Specialist position. Patricia Walker stated that this budget does add two (2) new Code Compliance Officers.

Commissioner Garcia is concerned with the reduction to travel/training. He does not want to sacrifice the training of firefighters. Jorge Gonzalez, City Manager, explained that travel/training necessary for certification has not been reduced.

Chief Jordan stated that he is satisfied that the amount budgeted will cover certification training.

Commissioner Garcia requested the percentage of the Fire Department certified paramedics and that he would like to review the numbers before the final budget hearing. **Chief Jordan to handle.**

Commissioner Smith asked if the City is too dependent on Resort Taxes. He asked what percent of the budget does Resort Tax represent. **Patricia Walker to handle.**

Larry Herrup, Budget Advisory Committee Chairperson, stated they are concerned with the not-

funded positions. The committee feels that the not-funded positions are important. He requested that these positions not be abolished but rather be deferred until funds are available, perhaps later in the year. Mr. Herrup thanked Patricia Walker, the Budget Staff, and IT Department for their efforts. He stated that he believes Kay Randall, Information Technology Director, and the IT staff are doing a fantastic job.

Jorge Gonzalez, City Manager, stated that Miami Beach is an electronic-government. Any resident can pay their water bill via the internet or pay by telephone via IVR technology.

1. Notice of Ad in Miami Herald

R7A2 A Resolution Adopting Tentative Budgets For The General, Enterprise, And Internal Service Funds For Fiscal Year 2001/02 Subject To A Second Public Hearing Scheduled At 5:01 P.M., Friday, September 21, 2001. **5:01 P.M. First Reading, Public Hearing.**
(Finance Department)

ACTION: Heard in conjunction with R7A1. See action R7A1. **Title of the Resolution read into the record. Public Hearing Held. Resolution No. 2001-24566 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Smith; Voice Vote: 6-0; Absent: Commissioner Cruz. Second Reading and Public Hearing scheduled for Friday, September 21, 2001, at 5:01 P.M. Jose Cruz to notice. R. Parcher to notice Special Commission Meeting. Lilia Cardillo to place on agenda. Patricia Walker to handle.

Handout:

1. Notice of Ad in Miami Herald

6:49:46 p.m.

R7B1 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Tentative Ad Valorem Millage Of 0.910 Mills For The Normandy Shores Local Government Neighborhood Improvement District, Which Is Three And One Tenth Percent (3.1%) Greater Than The "Rolled-Back" Rate Of 0.883 Mills, For Fiscal Year 2001/02, Subject To A Second Public Hearing Scheduled At 5:02 P.M., Friday, September 21, 2001.
5:02 P.M. First Reading, Public Hearing
(Finance Department)

ACTION: Title of the Resolution read into the record. Public Hearing Held. Resolution No. 2001-24567 adopted. Motion made by Commissioner Smith; seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Cruz. Second Reading and Public Hearing scheduled for Friday, September 21, 2001, at 5:02 P.M., 2001. Jose Cruz to notice. R. Parcher to notice Special Commission Meeting. Lilia Cardillo to place on the agenda. Patricia Walker to handle.

Handout:

1. Notice of Ad in Miami Herald

6:49:46 p.m.

R7B2 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Tentative Operating Budget For Fiscal Year 2001/02 Subject To A Second Public Hearing Scheduled At 5:02 P.M., Friday, September 21, 2001. **5:02 P.M. First Reading, Public Hearing.**

(Finance Department)

ACTION: Title of the Resolution read into the record. Public Hearing held. Resolution No. 2001-24568 adopted. Motion made by Vice-Mayor Bower; seconded by Commissioner Smith; Voice vote: 6-0; Absent: Commissioner Cruz. Second Reading and Public Hearing scheduled for Friday, September 21, 2001, at 5:02 P.M. Jose Cruz to notice. R. Parcher to notice Special Commission Meeting. Lilia Cardillo to place on agenda. Patricia Walker to handle.

Handout:

1. Notice of Ad in Miami Herald

10:34:49 a.m.

R7C A Resolution Approving And Authorizing The Issuance Of Request For Qualifications (RFQ) No. 57-00/01 For Urban Design, Landscape Architecture, And Engineering Services For Planning, Design, And Construction Administration Services For Phase II Of The Streetscape Improvement Project, Based On The Approved Master Plan For The South Pointe Redevelopment Area. **Joint City Commission and Redevelopment Agency**

(Capital Improvement Projects)

ACTION: Discussion Held. This item heard in conjunction with RDA-3A. Resolution No. 2001-24569 adopted, RFQ amended as stated: "Providing pedestrian amenities, consistent with Community Preferences Character." Motion made by Commissioner Liebman; seconded by Commissioner Smith; Voice Vote: 4-0; Absent: Vice-Mayor Bower, and Commissioners Cruz, and Dermer, Guz Lopez to issue RFQ.

10:54:27 a.m.

R7D A Resolution Approving And Authorizing The City Manager Or His Designee To Negotiate A Contract With The First Ranked Contracting Firm Of Regosa Engineering, Inc., Pursuant To Request For Proposal (RFP) No. 21-00/01 For The Construction Of The Normandy Park And Pool Facility; And If Not Successful, Authorizing The Administration To Negotiate With The Second Ranked Firm Of Jasco Construction Company, Inc.; Moreover, If The Negotiations Are Successful, Approving And Authorizing The Mayor And City Clerk To Execute The Aforestated Contract; Additionally Appropriating Funds, In The Total Amount Of \$2,553,932, Comprised As Follows: \$35,719 (Composed Of \$35,557 From The Park General Obligation Bond Fund No. 370, And \$162 From The Safe Neighborhood Fund) To Cover The Capital Improvement Projects Office Management Fee; \$119,060 (Composed Of \$83,530 From The Park General Obligation Bond Fund No. 370, \$34,995 From The General Obligation Bond Fund No.374, And \$535 From The Safe Neighborhood Parks Bond Fund) For Program Management Fee; \$17,947 From The Park General Obligation Bond Fund No. 370 For Art In Public Places; \$2,381,206 (Composed Of \$2,129,901 From The Park General Obligation Bond Fund No.370, \$240,591 From The General Obligation Bond Fund No.374, And \$10,714 From The Safe Neighborhood Fund) To Cover The Cost Of Construction, Furniture, Fixtures And Equipment, And Other Construction Related Expenses For The Project.
(Capital Improvement Projects)

ACTION: Discussion held. **Resolution No. 2001-24570 adopted.** Motion made by Commissioner Smith; seconded by Vice-Mayor Bower; Voice Vote: 5-0; Absent: Commissioners Cruz and Liebman. Tim Hemstreet to handle. Patricia Walker to appropriate the funds.

Jorge Gonzalez, City Manager, gave a verbal presentation. He stated that the bids came in higher than the budget amount. If they cannot bring the price down, he will come back with additional source of funding. The contract is short \$400,000.

Commissioner Smith stated that he did not see any funds set aside for contingencies. Tim Hemstreet stated that the Administration will negotiate within the next 30-days and it is anticipated that there will be a 10% contingency item at the end along with the cost of construction.

Jorge Gonzalez, City Manager, stated that the \$2.1 million will include a contingency item.

2:57:37 p.m.

R7E A Resolution Approving And Adopting The Second Amended And Restated Rules And Regulations For Beachfront Concession Operations That Include Amendments (1) Requiring That Only Upland Owners May Apply For Beachfront Concession Operations; (2) Providing For A New Fee Schedule Based On Number Of Upland Units; (3) Providing A Classification For Waterside Equipment That May Be Used In Swim Areas; And (4) Providing For The Cooking And/Or Heating Of Food; And Further Providing For An Effective Date And Repealing Any And All Previously Approved And/Or Authorized Rules And Regulations For Beachfront Concession Operations.

(Economic Development)
(Deferred From July 25, 2001)

ACTION: Discussion held. **Resolution No. 2001-24571 adopted as amended.** Motion made by Vice-Mayor Bower on the main motion including amendments listed below; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Commissioner Cruz. Christina Cuervo to handle.

Mayor Kasdin asked if upland property owners who do not have active business should be allowed to have a beach concession. He stated that this should be added to the Rules.

Commissioner Dermer asked if the general cooking is allowed. Joe Damien stated that cooking and heating on the beach will be prohibited as of October 1, 2001.

Commissioner Liebman stated that she is opposed to cooking facilities on the beach.

No amendments were made to item #1 - (1) Requiring That Only Upland Owners May Apply For Beachfront Concession Operations;

No amendments were made to item #2 - (2) Providing For A New Fee Schedule Based On Number Of Upland Units;

Item #3:

Amendment #1:

Motion made by Commissioner Smith that the amount of water toys will be determined by the Administration through regulations; seconded by Vice-Mayor Bower; Voice Vote: 5-1; Opposed: Commissioner Liebman; Absent: Commissioner Cruz. Joe Damien to handle.

Item #4:

Amendment #1:

Motion made by Vice-Mayor Bower to grandfather existing cooking facilities and exempt Ocean Terrace, Lummus Park, and North Shore Open Space Park, seconded by Mayor Kasdin; Voice vote: 5-1; Opposed: Commissioner Liebman; Absent: Commissioner Cruz. Joe Damien to handle.

Amendment #2:

Motion made by Commissioner Liebman that concessionaires obtain a special event permit in addition to calling the police Item #14, page 346); seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Cruz. Joe Damien and James Quinlan to handle.

Handouts:

1. Letter to Mayor Kasdin and Commissioners from Frank Del Vecchio reference: Request that the Commission obtains a legal opinion from the City Attorney on the legality of Section 8 of the proposed Amended Beach Concession Rules.
2. Proposed Modifications to Draft Beach Concession Rules from Frank Del Vecchio.
3. Log of concession installations and real demand log kept in and out of season, weekdays, holidays, and weekends from Clotilde Luce.
4. Comments on Beach Concession Agreement from Dr. Morris Sunshine.

5. A collage of photos of beach toys titled "Fragments on the Beach"
6. Speaker's list
7. A collage of photos of the beach "Staking out the Beach" by Frank Del Vecchio

10:46:05 am.

R7F A Resolution Ratifying The Three-Year Labor Agreement Between The City Of Miami Beach And The International Association Of Fire Fighters, Local 1510, AFL-CIO-CLC, For The Period From October 1, 2000, Through September 30, 2003, And Authorize The Mayor And City Clerk To Execute The Agreement

(Human Resources)

ACTION: Discussion Held. **Resolution No. 2001-24572 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Commissioner Cruz. Mary Greenwood to handle.

10:41:15 a.m.

R7G A Resolution Approving The Two One-Year Renewal Options Of The Management Services Agreement For The Miami Beach Convention Center And The Jackie Gleason Theater Of The Performing Arts With SMG (Formerly Known As Spectacor Management Group), Said Agreement Dated October 1, 1998; Said Renewal Term Commencing On October 1, 2001, And Ending On September 30, 2003; Said Renewal Term Conditioned Upon Subject To The Negotiated Terms Set Forth In This Resolution, And To Be Memorialized In Writing In A Document To Be Submitted By SMG And Approved By The Administration And City Attorney's Office.

(City Manager's Office)

ACTION: Resolution No. 2001-24573 adopted. Motion made by Vice-Mayor Bower; seconded by Commissioner Smith; Voice Vote: 6-0; Absent: Commissioner Cruz. Christina Cuervo to handle.

Mayra Diaz Buttacavoli, Assistant City Manager, made a presentation.

R9 - New Business And Commission Requests

R9A Board And Committee Appointments.

(City Clerk's Office)

ACTION: Vice-Mayor Bower indicated that she was not prepared to vote on the VCA appointments today and asked that it be deferred to the next meeting.

Golf Advisory Committee:

Joe Pallant term expires 12/31/2002 appointed by Commissioner Bower.

11:13:36 a.m.

R9A1 Appointment Of Ilija Mossdrop To The Art In Public Places Board.
(Requested By Commissioner Nancy Liebman)

ACTION: Motion made by Vice-Mayor Bower to appoint Ilija Mossdrop to the Art in Pubic Places Board; seconded by Commissioner Liebman; Voice vote 6-0; Absent: Commissioner Cruz. **James Quinlan to handle.**

City Clerk's Note: Term expires 12/31/2001

2:07:07 p.m.

R9B(1) Dr. Stanley Sutnick Citizen's Forum. (1:30 P.M.)

Bunny Patchen: **1)** She thanked all of those involved in the valiant effort to keep the east flow of aircraft test pattern in place. **2)** Suggested that the City consider acquiring some defibrillators for the lifeguards at the beach. The new units for next year will not only be adult but pediatric/adult.

Elizabeth Donnelly: **1)** She is happy because the wall is down at N. Bay 58 (59th St.). **2)** On June 18 the person applied for a permit for a wall on a city lot, and the Building Department did not know he had a revocable permit. She urged the City to leave the wall down. The Mayor explained that the issuance of a permit is an administrative matter and the Commission does not act on it.

Mitchell Chona: **1)** Spoke on behalf of the street performers. He is happy that the Euclid Circle is not crowded now. He feels that regulation is needed but the lottery is unfair for the performers. He is asking that the lottery system be eliminated. He feels that there is a lot of empty open space where merchants and the people are not being interfered by the artists and performers. He will like to perform on Lincoln Road. He is requesting a revision of the ordinance so that anyone with proper identification can pay the fees, fill out the paper work and perform.

David Kelsey: **1)** He requested information before the recess. He sent a letter to the Mayor and Commissioners regarding placing a ballot initiative to abolish the group seats. The Mayor responded indicating that he agreed with this position and enclosed was a letter from the Mayor asking the City Attorney to prepare this initiative. The Mayor stated that this item would not be on the ballot in November because it was referred to the Community Affairs Committee.

Carlos Gonzalez: **1)** He stated that everyone has the right to make a living, and spoke on the appointments made to the Homeless Committee. Nothing has been done in a year and a half. None of the appointees have ever been homeless. The homeless should be represented. **2)** Spoke about police brutality and violation of the rights of the citizens. He went to the U.S. Commission on Civil Rights to talk about racism in Miami Beach and the removal of the native population by money people. He asked the commission to listen to their hearts and not just be a commissioner of the rich.

Nina Annoval: Spoke about the lottery for the performers. The problem is that there are only 8 permits available and a lot of people that want to perform. She stated that there is a lot of open space on Lincoln Road that will not interfere with the business. She has seen code enforcement employees and a police officer tell artists to move from where they are seated just because they were sitting and paint or just holding a guitar, but not actually playing it. Commissioner Liebman explained that anyone could paint or play the guitar as long as they are not collecting money for it.

Handout:

1. Copy of the City of Miami Beach Receipt of Payment for a Building Work Permit for 5860 N. Bay Rd.
2. Speaker's List.

ACTION: Item not reached.

- R9C Discussion Regarding AIDS/HIV Statistics In Miami Beach.
(Requested By Commissioner David Dermer)
(Deferred From July 18, 2001)

ACTION: Deferred by Commissioner Dermer.

11:15:21 a.m.

- R9D Discussion Regarding A Status Report On The City's Efforts To Move Forward With The Altos Del Mar Park Project.
(Requested By Commissioner Jose Smith)
(Deferred From July 18, 2001)

ACTION: Verbal report given by Christina Cuervo.

Commissioner Dermer encouraged the Administration to move on acquiring the lots and make them part of the park.

Mayor Kasdin stated that everyone needs to focus on the big picture, the main elements of the Plater-Zyberk Plan for North Beach. Christina Cuervo stated that the draft of the RFQ has been completed for the west lots. The North Beach Development Corporation Capital Improvement Committee has reviewed the RFQ. There is a concern about the traffic study being conducted. There is a feeling that the traffic study should be concluded before the RFQ is issued. This will be discussed at the next Land Use and Development Committee meeting.

- R9E Discussion Regarding A Resolution Supporting The Baby Teeth Study Known As The "Tooth Fairy Project"; Relating To Radiation And Public Health; Providing For An Effective Date.
(Requested By Mayor Neisen Kasdin)
(Deferred From July 18, 2001)

ACTION: Deferred by Mayor Kasdin.

2:27:02 p.m.

- R9F Discussion Regarding An Ordinance - Imposed Fees On All Street Performers And Art Vendors.
(Requested By Vice-Mayor Matti Herrera Bower)

ACTION: Heard in conjunction with C4D. See action C4D.

Handout:

1. Two post cards from Anna Balboa Puga, one advertising Artespai and the other on Van Dyke News.

11:26:11 a.m.

R9G Discussion Regarding An Ordinance Amending Chapter 138 Of The Miami Beach City Code Entitled "Signs" By Amending Section 138-74 Thereof Entitled "Display Of Signs Or Advertisement On Parked Vehicles Prohibited" By Expanding The Prohibition Of Advertisement On Vehicles Operating On Ocean Drive; Providing for Exemptions; And By Providing For Penalties; Providing For Codification; Repealer; Severability, And An Effective Date.

(Requested By Commissioner Nancy Liebman)

ACTION: Discussion held.

Mayor Kasdin suggested bringing both ordinances back, (the original ordinance and the Ocean Drive Ordinance).

Murray Dubbin, City Attorney, suggested drafting a broader ordinance that can be subject to amendments. Murray Dubbin to bring an ordinance for first reading at the September 20 Commission Meeting.

Vice-Mayor Bower stated that the reference to watercraft should be removed.

7:16:55 p.m.

R9H Discussion Regarding A Resolution Recognizing Monument Island As City Park Land And Directing The City Administration To Take All Necessary Steps In Order To Protect And Preserve Monument Island As A City Park.

(Requested By Commissioner Nancy Liebman)

ACTION: Discussion held. **Resolution No. 2001-24578 adopted.** Motion made by Commissioner Liebman to designate Monument Island as a park; seconded by Vice-Mayor Bower. Voice Vote: 6-0; Absent: Commissioner Cruz. Bob Middaugh to handle.

Jorge Gonzalez, City Manager, stated his concerns with providing ongoing services to the Island Park.

11:38:55 a.m.

R9I Discussion/Referral To The Joint Meeting Of The Land Use And Finance & Citywide Projects Committee - Park Impact Fee Ordinance.

(Requested By Commission Jose Smith)

ACTION: Referred. Commissioner Smith gave a verbal presentation. Discussion held. Motion made by Commissioner Dermer to refer to a Joint Meeting of the Land Use and Development, and Finance & Citywide Projects Committees; seconded by Commissioner Smith; Voice vote 6-0; Absent: Commissioner Cruz. Jorge Gomez and Patricia Walker to place on the agenda. Patricia Walker to handle.

11:47:57 a.m.

- R9J Discussion Regarding An Ordinance Amending Miami Beach City Code Chapter 2, Adding Section 2-460 Entitled "Certain Relationships Of City Commission Members Prohibited", By Prohibiting Members Of The City Commission From Either Directly Or Indirectly Appearing, Representing, Contracting With Or Action On Behalf Of A Third Person With Respect To Any Matter Coming Before The City Commission; Providing For Repealer, Severability, Codification, And Effective Date.
(Requested By Commissioner Jose Smith)

ACTION: Referred. Discussion held. Motion made by Commissioner Smith to refer to the Community Affairs Committee; seconded by Commissioner Dermer; Voice vote: 6-0; Absent: Commissioner Cruz. Judy Hoanshelt to place on committee agenda.

Commissioner Garcia requested the City Attorney to prepare an ordinance prohibiting former City Employees who terminate with the City and immediately go to work for a vendor of the City. Mayra Diaz Buttacavoli and Legal Department to handle.

Jean Olin, Assistant City Attorney, explained that State law provides for certain exemptions and the intent of the proposed ordinance is to eliminate the exemptions to Miami Beach elected officials.

Mayor Kasdin requested a list of the exemptions. **Murray Dubbin to handle.**

7:20:02 p.m.

- R9K Discussion Regarding A Resolution Authorizing And Directing The City Manager To Enter Into Negotiations For Interlocal Agreements With The Cities Of Surfside, Bay Harbor Islands, North Bay Village, Bal Harbour, And Sunny Isles Beach For Live Broadcast Or Replay Of City Of Miami Beach Commission Meetings In Those Jurisdictions And Live Broadcast Or Replay Of Their City Commission Meetings In The City Of Miami Beach; And Providing For An Effective Date.
(Requested By Commissioner Jose Smith)

ACTION: Discussion Held. Resolution No. 2001-24576 adopted. Motion made by Commissioner Smith directing the Administration to negotiate with the other Coastal Communities to broadcast each other meeting's; seconded by Vice-Mayor Bower; Voice Vote: 6-0; Absent Commissioner Cruz. R. Parcher to handle.

10:58:28 a.m.

- R9L Discussion Regarding A Resolution Calling For A Special Election To Be Held On Tuesday, November 6, 2001, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether Section 27 Of The City's Related Special Acts Regarding The City's Health Plan For City Officers And Employees Should Be Amended To Include Dependent Coverage For "Domestic Partners" (In Addition To Existing Coverage Of Spouse And Minor Children) Of City Officers And Employees.
(Requested By The Mayor And Commission)

ACTION: Discussion held. Presentation made by Jorge Mursuli, Save Dade. **Resolution No. 2001-24574 adopted.** Motion made by Commission Dermer; seconded by Commissioner Liebman; Voice Vote: 6-0; Absent: Commissioner Cruz. R. Parcher to handle.

11:10:16 a.m.

R9M1 Discussion Regarding A Resolution Calling For A Special Election To Be Held On Tuesday, November 6, 2001, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether Sections 65 And 66 Of Article IX Of The City's Related Special Acts Regarding The City's Pension Fund For City Firefighters And Police Officers Should Be Amended To Allow Members With Twenty Or More Years Of Creditable Service Who Are Eligible For Normal Or Early Retirement To Purchase Up To Two Years Of Additional Creditable Service For Prior Public Safety Service; And To Allow Members With Twenty Or More Years Of Creditable Service Who Are Eligible To Receive Normal Retirement Benefits To Purchase Up To An Additional Six Percent Benefits Multiplier.

(Requested By Commissioner Luis R. Garcia, Jr.)

ACTION: Discussion held. **This item heard in conjunction with R9M2. Resolution No. 2001-24575 adopted as amended.** Motion made by Commissioner Garcia to use the combined ballot language provided, which will simplify the issue for the voters; seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Cruz. R. Parcher to handle.

City Clerk's Note: The Commission Agenda contained two (2) separate ballot questions. In an effort to simplify the issue for the voters, the two (2) ballot questions were merged into one (1) ballot question. The resolution was distributed at the Commission Meeting.

Handout:

1. Resolution with the combined language for Items R9M1 and R9M2.

11:10:16 a.m.

R9M2 Resolution Calling For A Special Election To Be Held On Tuesday, November 6, 2001, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether Article IX Of The City's Related Special Acts Regarding The City's Pension Fund For City Firefighters And Police Officers Should Be Amended To Include "Domestic Partners" As Persons Who May Receive Beneficiary And Survivor Benefits From The Fund.

(City Manager's Office)

ACTION: Discussion held. **This item heard in conjunction with R9M1. See action on R9M1.**

7:21:29 p.m.

R9N Discussion Regarding Historic Tax Credit.

(Requested By Commissioner Nancy Liebman)

ACTION: Discussion held. Resolution No. 2001-24579 adopted. Motion made by Commissioner Liebman instructing the City Attorney to seek an Attorney General opinion on the issue of whether, under the new constitutional amendment, the City of Miami Beach can tax exempt residential property and not commercial property; seconded by Vice-Mayor Bower; Voice Vote: 6-0; Absent: Commissioner Cruz. Murray Dubbin to handle.

Mayor Kasdin clarified that this is exempting from taxation the increase in value of the value of the renovations.

R9O Discussion Regarding The Alaska Parcel.

(Requested By Commissioner Nancy Liebman)

ACTION: Deferred.

6:55 p.m.

R9P Discussion Regarding. The effects and Possible Removal Of The Cell Phone Tower Adjacent To The Miami Beach Schools.

(Requested By Mayor Neisen Kasdin)

Ms. Elaine Bloom made a verbal presentation requesting the removal of the cell phone towers adjacent to the Hebrew Academy and Miami Beach Senior High School.

ACTION: Motion made by Commissioner Dermer instructing the Administration to investigate the situation and report back with a recommendation. The Administration should also investigate what other municipalities under similar situations have done; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Commissioner Cruz. Kay Randall to handle.

Reports And Informational Items

A City Attorney's Status Report.

(City Attorney's Office)

ACTION: Written report submitted.

B Parking Status Report.

(Parking Department)

ACTION: Written report submitted

C Status Report On The Rehabilitation Project Of The Existing Building And The Addition To Fire Station No. 2.

(Capital Improvement Projects)

ACTION: Written report submitted

D Status Report On The General Obligation Bond Funded Project For The Rehabilitation Of Fire Station No. 4.

(Capital Improvement Projects)

ACTION: Verbal report given by Jorge Gonzalez and Commissioner Garcia.

Commissioner Garcia reported that after meeting with the Historic Preservation Board members and the Miami Design Preservation League, there is an alternative idea that will provide a workable solution. The idea will provide the following: 1) a state-of-the-art Fire Station, 2) will preserve the current fire station building for an adoptive use, (could be used for a police sub-station) and 3) preserve some of the green space. This idea also has two advantages: A) There will be a passive park where the present police station is located, and B) it will cost less than what was budgeted.

Jorge Gonzalez, City Manager, stated that now the Administration needs to meet with the engineers and architects to determine if there is enough space to accomplish this idea.

Vice-Mayor Bower and Commissioner Liebman congratulated Commissioner Garcia for coming up with a working solution on this issue.

E Information Item Regarding An Immediate Action Plan For The Electrowave Shuttle Service, Plus A Seven-Year Long-Range Plan, Which Has Been Developed Specifically As An Aide To Future Policy Decisions.

(Public Works)

ACTION: Written report submitted.

Handout:

1. Bound book prepared by the Corrandino Group titled Electrowave Immediate Action Plan - Final
2. Bound book prepared by the Corrandino Group titled Electrowave Seven-Year Long-Range Plan

End of Regular Agenda

**Miami Beach Redevelopment Agency
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
September 5, 2001**

Chairman of the Board Neisen O. Kasdin - present
Member of the Board Matti Herrera Bower - present
Member of the Board Simon Cruz - Absent
Member of the Board David Dermer - present
Member of the Board Luis R. Garcia, Jr. - present
Member of the Board Nancy Liebman - present
Member of the Board Jose Smith - present

Executive Director Jorge M. Gonzalez
Assistant Director Christina M. Cuervo
Assistant Director Mayra Diaz Buttacavoli
General Counsel Murray H. Dubbin
Secretary Robert E. Parcher

AGENDA

1. ROLL CALL
2. OLD BUSINESS
 - A Report Of The Itemized Revenues And Expenditures Of The Miami Beach Redevelopment Agency For The Months Of June And July, 2001.
(Submitted Under Separate Cover)
ACTION: Written report submitted.
 - B Anchor Shops And Parking - Monthly Report On Parking Operations, Month Of June, 2001.
ACTION: Written report submitted.
 - C Anchor Shops And Parking - Monthly Report On Parking Operations, Month Of July, 2001.
ACTION: Written report submitted.

10:27:07 am.

D Status Report On The South Pointe Streetscape.

ACTION: Written report submitted.

The Mayor asked if they had any completion dates to offer. Tim Hemstreet explained they only had tentative completion dates. The Mayor stated that the season is coming on and it is not acceptable to the merchants.

Commissioner Liebman hopes that this Administration has learned from this problem. She believes that people need to be informed. Tim Hemstreet explained that they had met with the people and will meet with them again. She asked if the health issues have been resolved. Tim Hemstreet explained that as long as the ground is open there will be some smell in the area.

The Manager stated that the Administration has learned a lot from this process and they are placing accountability clauses on the contracts.

Tim Hemstreet gave a verbal report.

3. NEW BUSINESS

- A A Resolution Of The Chairman And The Members Of The Miami Beach Redevelopment Agency Approving And Authorizing The Issuance Of Request For Qualifications (RFQ) No. 57-00/01 For Urban Design, Landscape Architecture, And Engineering Services For Planning, Design, And Construction Administration Services For Phase II Of The Streetscape Improvement Project, Based On The Approved Master Plan For The South Pointe Redevelopment Area. **Joint City Commission and Redevelopment Agency**

Resolution No. 393-2001 adopted. This item heard in conjunction with R7C. Motion made by Commissioner Liebman; seconded by Commissioner Smith; Voice vote: 4-0. Absent; Vice Mayor-Bower, Commissioners Cruz and Dermer. Christina Cuervo to handle.

- B A Resolution Of The Chairman And The Members Of The Miami Beach Redevelopment Agency Appropriating \$11,002 From Available 1998 Tax Increment Revenue Bonds In Order To Reimburse RDP Royal Palm Limited Partnership To Fund Certain Permit-Related Fees Assessed By The City's Building Department For The Royal Palm Crowne Plaza Resort Project In Accordance With Section 6.3(a) Of The Hotel Development Agreement Between The Miami Beach Redevelopment Agency And RDP Royal Palm Limited Partnership.

Resolution No. 394-2001 adopted. Motion made by Commissioner Garcia; seconded by Commissioner Liebman; Voice vote: 6-0; Absent: Commissioner Cruz. Christina Cuervo to handle.

Meeting adjourned at 7:28 p.m.